

2. On Friday, September 16, 2022, Plaintiff filed its Motion to Continue Hearing and Oral Arguments (ECF No. 67), requesting that the hearing be rescheduled for either the week of October 17 or the week of October 24, 2022 because counsel for Plaintiff will be in trial during

the week of October 13. As Plaintiff noted in its Motion, counsel for both Defendants had previously consented to Plaintiff's request to continue the hearing.

3. After consenting to Plaintiff's request for a continuance, undersigned lead counsel for the Board received a calendaring order on the afternoon of Friday, September 16 from the United States Court of Appeals for the Eighth Circuit requiring travel to St. Paul, Minnesota for argument on Wednesday, October 19.

4. Given the need to present argument in the court of appeals on October 19, and the corresponding need to travel to and from St. Paul the week of October 17, the Board respectfully requests that any continuance of the hearing in this matter be to the week of October 24 or thereafter should the Court's calendar allow.

5. Counsel for the Board has conferred with Defendant Federal Reserve Bank of Kansas City, and its counsel is available the week of October 24 and the following week, as is counsel for the Board.

WHEREFORE, Defendant Board of Governors of the Federal Reserve System respectfully requests that, should the Court grant a continuance of the hearing in this matter, that the hearing be scheduled for the week of October 24 or thereafter as the Court's calendar allows.

Dated: September 17, 2022

Respectfully submitted,

/s/ Joshua P. Chadwick  
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